



## **LOUISBURG PLANNING COMMISSION MEETING MINUTES WEDNESDAY JANUARY 27, 2016**

The Planning Commission of the City of Louisburg, Kansas met at 7:00 p.m. in the City Hall Council Chambers with Chairperson Andy Sauber presiding.

### **ATTENDANCE:**

Commission Members: Nate Apple, Brandon Fosbinder, Thorvald McKiernan, Rick Phillips, and Anne Smith

City Administrator: Nathan Law

City Council: David Cannon and Carol Aust

Recording Secretary: Rusty Whitham

Visitors: Susan Juarez and Anthony Juarez (Representing Agape's Grace)

### **ITEM 1: ROLL CALL**

### **ITEM 2: ADOPTION OF THE ADGENDA:**

A motion was made by Brandon Fosbinder to adopt the agenda as submitted. The motion was seconded by Rick Phillips. Motion passed 6-0.

### **ITEM 3: APPROVAL OF THE MINUTES:**

A motion was made by Thorvald McKiernan to approve the minutes as written from the December 30, 2015 meeting. The motion was seconded by Anne Smith and passed 6-0.

**ITEM 4: PUBLIC COMMENTS:** Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

### **PUBLIC HEARING BUSINESS ITEMS:**

**ITEM 5:** None

## **NON-PUBLIC HEARING BUSINESS**

### **ITEM 6: A discussion concerning code violations and possible Site-Plan Review for Agape's Grace located at 2 South Mulberry Street.**

Staff explained that the owners of Agape's Grace Thrift Store are cognizant of the code issues that their property has had and have been willing to correct the violations. Agape's Grace has made a huge effort to clean up their property. Their efforts include installing cameras and making daily sweeps to pick up trash and donated items left on the property as soon as it appears. Staff mentioned that the Thrift Store has made a noticeable improvement in recent months. However, the adjacent house located at 604 South 1<sup>st</sup> Street was recently purchased and refurbished for resale. The new owner expressed concern that their house may be difficult to sell because Agape's Grace uses its south driveway as a storage and sorting area for donated items. It was stated that piles of donated items are visible from their backyard. This condition is an eyesore and potential buyers may be turned off by the condition of Agape's Grace Property, according to the property owner. Staff was asked by the owner of 604 South 1<sup>st</sup> Street to find a permanent solution to this problem.

Staff confirmed that an issue does exist and suggested that an 8' foot high privacy fence be constructed around the south parking lot perimeter to screen the area from view. After some discussion with Susan Juarez (Executive Director of Agape's Grace) it was determined that a privacy fence would not be feasible due to financial constraints. Susan Juarez drafted an alternative concealment plan that would be more affordable to the Thrift Store. Staff determined that approval of Juarez's plan should come from the Planning Commission. The purpose of this discussion is to have both parties (Planning Commission and Agape's Grace) mutually agree to a feasible solution.

**Note:** The Planning Commission approved the Agape's Grace Site-Plan (10002-SP) on January 26, 2011. At that time, the topic of outdoor storage was not discussed.

Susan Juarez stated that she agrees that there is an issue and she is willing to help find a solution. She explained that the Thrift Store becomes a community dump site for people wishing to make donations to her non-profit organization. A lot of the items are dropped off after hours, even though there are posted signs stating that this is prohibited. The covered patio on the south side of the building has been designated as an outdoor storage/sorting location for donated items. This area can accumulate large piles of donated items at times. Juarez added that this was not been an issue in that past because the houses to the south have been vacant since the Thrift Store opened in 2011.

Juarez suggested that installing an 8' high privacy fence along the south side of her building is not financially possible. She mentioned that the cost for materials will be over \$3000.00. That cost is out of reach for this non-profit organization. However, she can afford the enough money to enclose the existing covered patio to conceal the storage /sorting area. This is a more cost effective solution to the problem.

After some discussion it was determined that enclosing the existing patio on the south side of the building should take care of the problem. The following parameters to enclose the patio were agreed upon:

1. The patio siding on the newly portioned patio shall match the existing building.
2. The owner shall obtain the proper permits.
3. All work shall be completed within 5 months (June 4, 2016).
4. This Topic may be readdress with the Agape's Grace in the future if this solution does not resolve the containment problem.

Susan Juarez agreed with the stipulations. No negative comments were made concerning this solution. No vote was required because this was a discussion item.

**ITEM 7: A discussion and clarification concerning the rezoning of property located at 6 South 3<sup>rd</sup> Street (Parcel ID: 1093101015004000) R-1 to C-3. Rezoning was approved by the Planning Commission at its December 30, 2015 meeting.**

Staff confirmed that the owner of 6 South 3<sup>rd</sup> Street (James L. Ungerer) will not be renting the property as an apartment/Collection Agency. This property will remain as a Collection Agency only. No one will be living on the premises. This property now conforms with the authorized uses listed in the C-3 General Business Zoning District. Reference Article 5, Section 509, of the City Zoning Regulations.

No negative comments were made. No vote was required because this was a discussion item used to clarify the intentions of the property owner. The recommendation by the Planning Commission to rezone this property from the Single Family (R-1) Zoning District to the General Business (C-3) Zoning District will be forwarded to the City Council for discussion and further action.

**ITEM 8: OLD BUSINESS:** Any old business the Commission may wish to discuss.

None

**ITEM 9: NEW BUSINESS:**

None

**ITEM 10: REPORTS**

Staff provided a report in response to questions posed by the Planning Commission concerning excessive exterior lighting at some commercial properties. The report included the three larger business located within the city and compared their lighting to the requirements outlined in the City Zoning Regulations. It was mentioned that all three properties meet existing requirements. It was suggested that the Planning Commission may want to review the existing lighting requirements and make changes if needed.

It was recommended by the Planning Commission that Staff obtain lighting requirements from the following municipalities: Ottawa, Overland Park, Harrisonville, Spring Hill, Lee's Summit, and Blue Springs.

This information may be used as a guide to possibly change the Zoning Regulations. Most agreed that further discussion on this topic maybe warranted. No vote was taken because this was a discussion item.

**ITEM 11: ADJOURNMENT:**

A motion was made by Nate Apple to adjourn the meeting. Second was made by Rick Phillips. The motion passed 6-0. Meeting adjourned at 7:31 p.m.

**Submitted by Rusty Whitham**  
**Recording Secretary**